

Laura Salerno Owens, OSB #076230
LauraSalerno@MarkowitzHerbold.com
David B. Markowitz, OSB #742046
DavidMarkowitz@MarkowitzHerbold.com
Harry B. Wilson, OSB #077214
HarryWilson@MarkowitzHerbold.com
Kathryn P. Roberts, OSB #064854
KathrynRoberts@MarkowitzHerbold.com
MARKOWITZ HERBOLD PC
1455 SW Broadway, Suite 1900
Portland, OR 97201
Telephone: (503) 295-3085

Laura L. Ho (admitted *pro hac vice*)
lho@gbdhlegal.com
Barry Goldstein, Of Counsel (admitted *pro hac vice*)
bgoldstein@gbdhlegal.com
James Kan (admitted *pro hac vice*)
jkan@gbdhlegal.com
Byron Goldstein (admitted *pro hac vice*)
brgoldstein@gbdhlegal.com
Katharine L. Fisher (admitted *pro hac vice*)
kfisher@gbdhlegal.com
GOLDSTEIN, BORGES, DARDARIAN & HO
155 Grand Avenue, Suite 900
Oakland, CA 94612
Telephone: (510) 763-9800 | Fax: (510) 835-1417

Attorneys for Plaintiffs
Additional counsel of record listed on signature page

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

KELLY CAHILL, et al., individually and
on behalf of others similarly situated,

Case No. 3:18-cv-01477-AB

Plaintiffs,

**PLAINTIFFS' PROPOSED VERDICT
FORM**

v.

NIKE, INC., an Oregon Corporation,

Defendant.

Plaintiffs respectfully request that the Court use the attached Verdict Form.

DATED: January 27, 2025

GOLDSTEIN, BORGEN, DARDARIAN & HO

s/ Laura Salerno Owens

Barry Goldstein, Of Counsel (admitted *pro hac vice*)

Laura L. Ho (admitted *pro hac vice*)

James Kan (admitted *pro hac vice*)

Byron Goldstein (admitted *pro hac vice*)

Katharine L. Fisher (admitted *pro hac vice*)

MARKOWITZ HERBOLD PC

Laura Salerno Owens, OSB #076230

LauraSalerno@MarkowitzHerbold.com

David B. Markowitz, OSB #742046

DavidMarkowitz@MarkowitzHerbold.com

Harry B. Wilson, OSB #077214

HarryWilson@MarkowitzHerbold.com

Kathryn P. Roberts, OSB #064854

KathrynRoberts@MarkowitzHerbold.com

INDIA LIN BODIEN LAW

India Lin Bodien (admitted *pro hac vice*)

india@indialinbodienlaw.com

2522 North Proctor Street, #387

Tacoma, WA 98406-5338

Tel: (253) 503-1672

Fax: (253) 276-0081

ACKERMANN & TILAJEF, P.C.

Craig J. Ackermann (admitted *pro hac vice*)

cja@ackermanntilajef.com

Erika Smolyar (admitted *pro hac vice*)

es@ackermanntilajef.com

315 South Beverly Drive, Suite 504

Beverly Hills, CA 90212

Tel: (310) 277-0614

Fax: (310) 277-0635

Attorneys for Plaintiffs

2256758

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

KELLY CAHILL, et al., individually and
on behalf of others similarly situated,

Case No. 3:18-cv-01477-AB

VERDICT FORM

Plaintiffs,

v.

NIKE, INC., an Oregon Corporation,

Defendant.

We, the jury being duly impaneled and sworn, provide the following answers to the questions submitted by the Court:

I. Federal Equal Pay Act

QUESTION 1: Have plaintiffs proven that Nike, Inc. violated the Federal Equal Pay Act by a preponderance of the evidence?

Kelly Cahill _____ Yes _____ No

Lindsay Elizabeth _____ Yes _____ No

Heather Hender _____ Yes _____ No

If you answered "Yes" to any of Question 1 then proceed to Question 1A. If you answered "No" to all of Question 1, then proceed to Question 3.

QUESTION 1A: Did plaintiffs prove that Nike's violation of the Federal Equal Pay Act was willful?

Kelly Cahill _____ Yes _____ No

Lindsay Elizabeth _____ Yes _____ No

Heather Hender _____ Yes _____ No

QUESTION 2: If you find that defendant Nike, Inc.'s violation of the Equal Pay Act was willful, what are plaintiffs' damages, if any, resulting from its willful violation?

Kelly Cahill \$ _____

Lindsay Elizabeth \$ _____

Heather Hender \$ _____

QUESTION 2A: If you find that defendant Nike, Inc.'s violation of the Equal Pay Act was not willful, what are plaintiffs' damages, if any, resulting from its violation?

Kelly Cahill \$ _____

Lindsay Elizabeth \$ _____

Heather Hender \$ _____

II. Oregon Equal Pay Act

QUESTION 3: Have plaintiffs proven that defendant Nike, Inc. violated the Oregon Equal Pay Act by a preponderance of the evidence?

Kelly Cahill _____ Yes _____ No

Lindsay Elizabeth _____ Yes _____ No

Heather Hender _____ Yes _____ No

If you answered "Yes" to any of Question 3 then proceed to Question 4. If you answered "No" to all of Question 3, then proceed to Question 5.

QUESTION 4: What are plaintiffs' damages, if any, against defendant Nike, Inc. resulting from the violation of the Oregon Equal Pay Act?

Kelly Cahill \$_____

Lindsay Elizabeth \$_____

Heather Hender \$_____

QUESTION 4A: What amount of punitive damages, if any, should be awarded against defendant Nike, Inc. resulting from the violation of the Oregon Equal Pay Act?

Kelly Cahill \$_____

Lindsay Elizabeth \$_____

Heather Hender \$_____

III. Disparate Treatment

a. Disparate Treatment in Pay (Federal and State Claims)

QUESTION 5: Have plaintiffs proven their claim of Disparate Treatment in pay by a preponderance of the evidence?

Kelly Cahill _____ Yes _____ No

Lindsay Elizabeth _____ Yes _____ No

Heather Hender _____ Yes _____ No

If you answered "Yes" to any of Question 5 then proceed to Question 6. If you answered "No" to all of Question 5, then proceed to Question 7.

i. Economic Damages for Disparate Treatment in Pay (Federal and State Claims)

QUESTION 6: What are plaintiffs' damages, if any, against defendant Nike, Inc. resulting from its disparate treatment in pay?

Kelly Cahill \$_____

Lindsay Elizabeth \$_____

Heather Hender \$_____

ii. Punitive Damages for Disparate Treatment in Pay (Federal and State Claims)

QUESTION 6A: What amount of punitive damages, if any, should be awarded against defendant Nike, Inc. resulting from the disparate treatment in pay violation of the Federal Civil Rights Act of 1964?

Lindsay Elizabeth \$_____

Heather Hender \$_____

QUESTION 6B: What amount of punitive damages, if any, should be awarded against defendant Nike, Inc. resulting from the disparate treatment in pay violation of the Oregon Equality Act?

Kelly Cahill \$_____

Lindsay Elizabeth \$_____

Heather Hender \$_____

b. Disparate Treatment in Promotion (Federal and State)

QUESTION 7: Have plaintiffs proven their claim of Disparate Treatment in promotion by a preponderance of the evidence?

Kelly Cahill _____ Yes _____ No

Heather Hender _____ Yes _____ No

Sara Johnston _____ Yes _____ No

If you answered “Yes” to any of Question 7 then proceed to Question 8. If you answered “No” to all of Question 7, then proceed to Question 9.

i. Economic Damages for Disparate Treatment in Promotion (Federal and State Claims)

QUESTION 8: What are plaintiffs’ damages, if any, against defendant Nike, Inc. resulting from the disparate treatment in promotion violation?

Kelly Cahill \$ _____

Heather Hender \$ _____

Sara Johnston \$ _____

ii. Punitive Damages for Disparate Treatment in Promotion (Federal and State Claims)

QUESTION 8A: What amount of punitive damages, if any, should be awarded against defendant Nike, Inc. resulting from the disparate treatment in promotion violation of the Federal Civil Rights Act of 1964?

Heather Hender \$ _____

Sara Johnston \$ _____

QUESTION 8B: What amount of punitive damages, if any, should be awarded against defendant Nike, Inc. resulting from the disparate treatment in promotion violation of the Oregon Equality Act?

Kelly Cahill \$ _____

Heather Hender \$ _____

Sara Johnston \$ _____

IV. Retaliation (Federal and State Claims)

QUESTION 9: Has plaintiff Hender proven her claim of Retaliation by a preponderance of the evidence?

_____ Yes _____ No

If you answered “Yes” to any of Question 9 then proceed to Question 10. If you answered “No” to Question 9, then proceed to end of verdict form.

i. Non-Economic Damages for Retaliation (Federal and State Claims)

QUESTION 10: What are plaintiff Hender’s non-economic damages, if any, against defendant Nike, Inc. resulting from the retaliation claims?

\$ _____

ii. Punitive Damages for Retaliation (Federal and State Claims)

QUESTION 10A: What punitive damages, if any, should be awarded against defendant Nike, Inc. resulting from the violation of the Federal Civil Rights Act of 1964?

\$ _____

QUESTION 10B: What punitive damages, if any, should be awarded against defendant Nike, Inc. resulting from the violation of the Oregon Equality Act?

\$ _____

The presiding juror should sign and date the verdict form. By signing this form, the presiding juror confirms that the responses to each question were unanimous.

DATED: _____, 2025

Presiding Juror
Juror No. _____

Signed on behalf of the jury,

Amy M. Baggio
United States District Judge